

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY:

*[Signature]*

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
MARCO IVAN PARTIDA-AVILA,  
  
Defendant.

CASE NO. 09CR2354

JUDGMENT OF DISMISSAL

IT APPEARING that the defendant is now entitled to be discharged for the reason that:

- ☒ an indictment has been filed in another case against the defendant and the Court has granted the motion of the Government for dismissal of this case, without prejudice; or
- ☐ the Court has dismissed the case for unnecessary delay; or
- ☐ the Court has granted the motion of the Government for dismissal; or
- ☐ the Court has granted the motion of the defendant for a judgment of acquittal; or
- ☐ a jury has been waived, and the Court has found the defendant not guilty; or
- ☐ the jury has returned its verdict, finding the defendant not guilty;
- ☒ of the offense(s) of: Title 8, U.S.C., Sec. 1326(a) and (b) -  
Attempted Entry After Deportation (Felony)

IT IS THEREFORE ADJUDGED that the defendant is hereby discharged.

DATED: JULY 29, 2009

*[Signature]*

CATHY ANN BENCIVENGO  
UNITED STATES MAGISTRATE JUDGE